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PTO/SB/21 (08-00)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing) 	Application Number	09/828,284	
	Filing Date	Apr 5, 2001	
	First Named Inventor	Peak	
	Group Art Unit	NYA	
	Examiner Name	NYA	
Total Number of Pages in This Submission	5+	Attorney Docket Number	103.1066.01

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> PTO SB 08 A & B Copies of Art References Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Steven A. Swernofsky	Reg. no. 33,040
Signature		
Date	7/17/01	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 7-18-2001			
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Signature		Date	7-18-2001

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22883

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Peak et al.

Serial No.: 09/828,284

Filed: 4/5/2001

Title: Automatic Verification of Scheduling
Domain Consistency

Group Art Unit:

NYA

Examiner:

NYA

Attorney Docket No.: 103.1066.01

Assistant Commissioner for Patents
Washington, D.C. 20231**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
☐ Certification under 37 CFR 1.97(e), or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
☐ Certification under 37 CFR 1.97(e), and
☐ a petition under 37 CFR 1.97(d)(2)(ii), and
☐ a \$180.00 petition fee set forth in 37 CFR 1.17(i)(1).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 08A&B-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware.



22883

PATENT TRADEMARK OFFICE

Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: 7-18-2001

Typed Name: Arlette Malhas, Paralegal

Signature: Arlette Malhas

Steven A. Swernofsky

Steven A. Swernofsky

Attorney/Agent for Applicant(s)

Reg. No. 33,040

Date: 7/17/01

Telephone No.: 650-947-0700

Please type a plus sign (+) inside this box →



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number 09/828,284

Filing Date 4/5/2001

First Named Inventor Peak

Group Art Unit NYA

Examiner Name NYA

Attorney Docket Number 103.1066.01

Sheet

1

of

2

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	1	4,333,144		Whiteside et al.	06-01-1982	
	2	4,459,664		Pottier et al.	07-10-1984	
	3	4,488,231		Yu et al.	12-11-1984	
	4	4,494,188		Nakane et al.	01-15-1985	
	5	4,742,447		Duvall et al.	05-03-1988	
	6	4,742,450		Duvall et al.	05-03-1988	
	7	4,875,159		Cary et al.	10-17-1989	
	8	4,914,583		Weisshaar et al.	04-03-1990	
	9	US005,297,265A	A	Frank et al.	03-22-1994	
	10	US005,357,612A	A	Alaiwan	10-18-1994	
	11	US005,454,095A	A	Kraemer et al.	09-26-1995	
	12	US005,940,828A	A	Anaya et al.	08-17-1999	
	13	US005,963,962A	A	Hitz et al.	10-05-1999	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	1	DE	694 25 658 T2	T2	Hitz et al.	04-19-2001		
	2	EP	0 702 815 B1	B1	Hitz et al.	08-23-2000		
	3	WO	94/29807 A1	A1	Hitz et al.	12-22-1994		

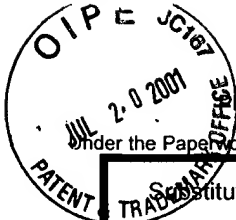
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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		PATENT TRADEMARK OFFICE		Complete if Known	
		Application Number		09/828,284	
		Filing Date		4/5/2001	
		First Named Inventor		Peak	
		Group Art Unit		NYA	
		Examiner Name		NYA	
Sheet	2	of	2	Attorney Docket Number	103.1066.01

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	DIANNE E. BRITTON and MARK E. STICKEL; An Interprocess Communication Facility for Distributed Applications; RCE Laboratories; David Sarnoff Research Center; Princeton, New Jersey; IEEE 1980; Pages 590-595.	
	2	DAVID R. CHERITON; Multi-Process Structuring and the Thoth Operating System; Department of Computer Science; Univeristy of British Columbia, Vancouver, B.C. Canada; March 1979, Pages 1-64.	
	3	DAVID R. CHERITON; The Thoth System: Multi-Process Structuring and Portability; Operating and Programming Systems Series; The Computer Science Library.	
	4	DAVID R. CHERITON et al.; Thoth, A Portable Real-Time Operating System; Vol. 22; February 1979; Pages 105-115. Operations Systems, Communications of the ACM, University of Waterloo	
	5	ANITA K. JONES et al.; StarOS, a Multiprocessor Operating System for the Support of Task Forces; Department of Computer Science Carnegie-Mellon University, Pittsburg, Pennsylvania; 1979.	
	6	KEITH A. LANTZ et al.; Rochester's Intelligent Gateway; IEEE; October 1982.	
	7	MICHAEL A. MALCOLM; A Process Abstraction and its Application; Department of Computer Science; University of Waterloo; Waterloo, Ontario; Proc. Eighth Manitoba Conference on Numerical Math. and Computing, 1978; Pages 33-50.	
	8	BRUCE NELSON and YU-PING CHENG; The Myth of Transfer Rate-How and Why SCSI Is Better than IPI for NFS; Technical Report 6, Second Edition-Auspe; July 1992.	
	9	Slashdot: Tux2: The Filesystem That Would Be King - Microsoft Internet Explorer. 10-20-2000	

Examiner Signature		Date Considered	
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